

NO. 34

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

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WEDNESDAY, MARCH 11, 2009  
(STATEWIDE SESSION)

**Wednesday, March 11, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The House assembled at 11:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 110:3: "From the womb of the morning, like dew, your youth will come to you."

Let us pray. Dear God, help us to see Your fullness in the morning. You, O God, are like dew; always there, seldom seen. In the mornings we see and feel Your presence, Your mercy, and Your forgiveness. In the morning, when we have rested, we feel Your power and strength coming to us as these people deal with the affairs of state. Continue to be with them, let them know of Your presence and see them through until the work is done. Bless and preserve our Nation, President, State, Governor, Speaker, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. HOSEY moved that when the House adjourns, it adjourn in memory of Deanna DeLoach Cohen of Allendale, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 10, 2009

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

Orangeburg County Master-in Equity

**WEDNESDAY, MARCH 11, 2009**

Term Commencing: August 14, 2009  
Term Expiring: August 14, 2015  
Seat: Master-in-Equity

Reappointment  
The Honorable O. Davie Burgdorf  
Post Office Box 9000  
Orangeburg, South Carolina 29116

Respectfully,  
President of the Senate

**HOUSE RESOLUTION**

The following was introduced:

H. 3694 -- Reps. Harrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE THE MEMBERS OF THE FIRST BAPTIST SCHOOL HURRICANE VARSITY BASKETBALL TEAM OF CHARLESTON COUNTY FOR A SUCCESSFUL SEASON, AND TO COMMEND THE OUTSTANDING PLAYERS AND COACHES FOR CAPTURING THE 2009 SCISA CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**WEDNESDAY, MARCH 11, 2009**

**HOUSE RESOLUTION**

On motion of Rep. HARRELL, with unanimous consent, the following was taken up for immediate consideration:

H. 3695 -- Reps. Harrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE FIRST BAPTIST SCHOOL BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 SCISA CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the First Baptist School basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2009 SCISA Class AA State Championship title.

The Resolution was adopted.

[HJ]

**WEDNESDAY, MARCH 11, 2009**

**HOUSE RESOLUTION**

The following was introduced:

H. 3696 -- Reps. R. L. Brown, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF FAITH WALK MINISTRIES OF CHARLESTON COUNTY AND TO EXPRESS GRATITUDE FOR THEIR MINISTRY TO THEIR COMMUNITY UPON THE OCCASION OF THEIR 2009 HOMECOMING.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3697 -- Reps. Scott, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis,

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Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE GOOSE CREEK HIGH SCHOOL VARSITY BASKETBALL TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE ATHLETES, COACHES, AND SCHOOL OFFICIALS FOR CAPTURING THE 2009 CLASS AAAA STATE BASKETBALL CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. SCOTT, with unanimous consent, the following was taken up for immediate consideration:

H. 3698 -- Reps. Scott, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE GOOSE

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CREEK HIGH SCHOOL BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Goose Creek High School basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2009 Class AAAA State Championship title.

The Resolution was adopted.

#### **HOUSE RESOLUTION**

On motion of Rep. OWENS, with unanimous consent, the following was taken up for immediate consideration:

H. 3699 -- Reps. Owens, Hiott, Rice and Skelton: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE HOUSE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT HOUSE OFFICE BUILDING ON THURSDAY, NOVEMBER 19, 2009, AND FRIDAY, NOVEMBER 20, 2009, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

Whereas, forty-five states have successful Youth in Government programs; and

Whereas, the Youth in Government program is designed to provide first-hand experience in the state legislature and government affairs for high school and middle school students; and

Whereas, students taking part in the program will run for statewide office, pass legislation, and organize their own government; and

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Whereas, the purpose of the Young Men's Christian Association Youth in Government program is to encourage our youth to develop enthusiasm and appreciation for government and community affairs; and

Whereas, more than one thousand five hundred students in the State are expected to participate this year, making the South Carolina Youth in Government program the largest per capita in the nation. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, authorize the Greenville Young Men's Christian Association to use the House chamber and any available committee hearing rooms in the Blatt House Office Building on Thursday, November 19, 2009, and Friday, November 20, 2009, to conduct the Youth in Government program. If the House is in statewide session, or if the House chamber is otherwise unavailable, the House chamber may not be used on those dates.

Be it further resolved that the use of the chamber and the available committee hearing rooms by the Greenville Young Men's Christian Association must be in strict accordance with policies and the Rules of the House of Representatives.

Be it further resolved that the Office of the Sergeant at Arms of the House of Representatives shall provide assistance and access as necessary for this meeting in accordance with applicable procedures of the Rules of the House of Representatives.

Be it further resolved that a copy of this resolution be forwarded to the executive director of the YMCA Youth in Government program and to House of Representatives Sergeant at Arms Mitchell G. Dorman.

The Resolution was adopted.



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**HOUSE RESOLUTION**

On motion of Rep. GUNN, with unanimous consent, the following was taken up for immediate consideration:

H. 3700 -- Reps. Gunn, King, Sellers and Hart: A HOUSE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF WORLD TUBERCULOSIS DAY AS FOCUSING ATTENTION ON ONE OF THE WORLD'S DEADLIEST KILLERS AND TO DECLARE TUESDAY, MARCH 24, 2009, AS "SOUTH CAROLINA TUBERCULOSIS DAY."

Whereas, tuberculosis is the greatest infectious killer of women, the greatest killer of people with HIV/AIDS, and the greatest infectious killer of youth and adults worldwide; and

Whereas, the World Health Organization estimates that one third of the world's population is infected with the bacterium that causes tuberculosis; and

Whereas, it is estimated that ten to fifteen million individuals are infected with the tuberculosis bacterium in the United States alone; and

Whereas, worldwide, at least one person is infected with tuberculosis every second; and

Whereas, worldwide, approximately eight million people become sick with tuberculosis each year; and

Whereas, two million people die of tuberculosis every year, one person every fifteen seconds; and

Whereas, most cases of tuberculosis and deaths caused by tuberculosis occur among individuals between the ages of fifteen and forty-four, the most economically productive years of life; and

Whereas, few other infectious diseases create as many orphans as tuberculosis; and

Whereas, tuberculosis rates are substantially higher for minorities in the United States, due to socioeconomic factors such as high unemployment, low median income, and poor living conditions; and

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Whereas, the threat to the health of Americans consists of two elements, the global spread of tuberculosis and the emergence and spread of strains of tuberculosis that are multidrug resistant; and

Whereas, tuberculosis is spreading as a result of inadequate treatment, and it is a disease that knows no national borders; and

Whereas, the House of Representatives understands the growing international problem of tuberculosis and the impact its continued existence has on the citizens of South Carolina, as well as on those of the rest of the United States and other nations. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize the importance of World Tuberculosis Day as focusing attention on one of the world's deadliest killers and declare Tuesday, March 24, 2009, as "South Carolina Tuberculosis Day."

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3701 -- Reps. Brady, Gunn, McEachern and Howard: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE SPRING VALLEY HIGH SCHOOL "LADY VIKINGS" BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACHES, AND STAFF ON AN OUTSTANDING SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. BRADY, with unanimous consent, the following was taken up for immediate consideration:

H. 3702 -- Reps. Brady, Gunn and McEachern: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF

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THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SPRING VALLEY HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Spring Valley High School girls basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2009 Class AAAA State Championship title.

The Resolution was adopted.

#### **CONCURRENT RESOLUTION**

On motion of Rep. KIRSH, with unanimous consent, the following was taken up for immediate consideration:

H. 3703 -- Reps. Kirsh and Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA AND TO DECLARE MARCH 31, 2009, "YORK COUNTY DAY" IN SOUTH CAROLINA.

Whereas, York County is home to over 208,800 South Carolina citizens, which is nearly five percent of the state's total population; and

Whereas, York is the state's fastest growing county, with last year's increase of five percent, and York County is the state's third fastest growing county with a seven-year increase of almost twenty-seven percent; and

Whereas, York County's estimated assessment of real and manufacturing property exceeded six hundred seventy-five million dollars, which is nearly a six percent increase from the previous year

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and represents approximately four percent of the state's total assessment of real and manufacturing property; and

Whereas, five new companies and twenty-nine company expansions in York County provided six hundred forty-five new jobs last year for South Carolinians; and

Whereas, capital investments from new and expanding companies in York County increased fourteen and a half percent over the prior year for a total of eighty-three million dollars for the State; and

Whereas, York County was the state's seventh highest producing county in retail sales last year and provided more than five billion dollars to state coffers and over four percent of South Carolina's total retail sales; and

Whereas, the citizens of York County passed a one-cent sales tax in 1997 and again in 2003 to collect a total of two hundred seventy-two million dollars to be used for critical road improvements, which also enhance the efficiency of the state's road system; and

Whereas, York County is one of the top three counties in the State in the categories of median household incomes, percent of academically-gifted students, starting salaries for new teachers, and average teacher salaries, and York County also exemplifies higher education quality and value, all of which are important in moving the entire State forward. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, recognize York County as a vital part of the great State of South Carolina and declare March 31, 2009, "York County Day" in South Carolina.

Be it further resolved that a copy of this resolution be forwarded to each of the four chambers of commerce in York County.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

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**HOUSE RESOLUTION**

The following was introduced:

H. 3704 -- Reps. Cato and Bannister: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE SYLVIA A. MATTHEWS, WHO COMPLETED HER UNDERGRADUATE AND LEGAL EDUCATION IN SOUTH CAROLINA, UPON HER APPOINTMENT TO THE 281ST JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS, AND TO EXPRESS SINCERE WISHES FOR HER FUTURE SUCCESS.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 3705 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF ANDERSON SCHOOL DISTRICT 1 WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

On motion of Rep. COOPER, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 3706 -- Reps. Weeks and Harrison: A BILL TO AMEND SECTION 8-13-1348, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO AUTHORIZE A DEBIT CARD DRAWN UPON THE CAMPAIGN ACCOUNT MAY BE USED ON EXPENDITURES MORE THAN TWENTY-FIVE DOLLARS IN ADDITION TO A WRITTEN INSTRUMENT.

Referred to Committee on Judiciary

H. 3707 -- Reps. T. R. Young, Cato, Cobb-Hunter, Toole, Ott, Cooper, Gambrell, Bowen, Agnew, McLeod, J. H. Neal, Gunn, Hayes, Stewart, Thompson and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-41-235 SO AS TO REQUIRE MOTOR FUEL TERMINALS TO

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OFFER FOR SALE PRODUCTS THAT ARE SUITABLE FOR SUBSEQUENT BLENDING EITHER WITH ETHANOL OR BIODIESEL; TO PROHIBIT A PERSON OR ENTITY FROM TAKING AN ACTION TO DENY A MOTOR FUEL DISTRIBUTOR OR RETAILER FROM BEING THE BLENDER OF RECORD; TO REQUIRE MOTOR FUEL DISTRIBUTORS, RETAILERS, AND REFINERS TO UTILIZE THE RENEWABLE IDENTIFICATION NUMBER; AND TO DECLARE VIOLATIONS AN UNFAIR TRADE PRACTICE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3708 -- Reps. Herbkersman and Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2700 SO AS TO DEFINE, SPECIFICALLY AND WITH EXAMPLES AND EXCLUSIONS, "AN AMUSEMENT REDEMPTION MACHINE", AND TO PROVIDE FOR CRIMINAL PENALTIES FOR REWARDING PLAYERS WITH ITEMS OTHER THAN FREE REPLAYS OR NONCASH MERCHANDISE.

Referred to Committee on Judiciary

H. 3709 -- Rep. McEachern: A BILL TO AMEND SECTION 6-1-730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USES ALLOWED FOR LOCAL HOSPITALITY TAX REVENUES, SO AS TO ALLOW THE GOVERNING BODY OF A COUNTY BY ORDINANCE TO USE NOT MORE THAN ONE-HALF OF THE REVENUES OF THE LOCAL HOSPITALITY TAX IMPOSED BY THE COUNTY FOR COUNTY TRANSPORTATION NEEDS.

Referred to Committee on Ways and Means

H. 3710 -- Rep. Crawford: A BILL TO AMEND ARTICLE 1, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMERGENCY MEDICAL SERVICES ACT OF SOUTH CAROLINA, SO AS TO REVISE DEFINITIONS; TO REVISE THE COMPOSITION OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL; TO PROVIDE FOR THE POSITION OF STATE MEDICAL CONTROL PHYSICIAN AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THIS POSITION; TO PROVIDE THAT

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THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL ESTABLISH AMBULANCE AND EMERGENCY MEDICAL TECHNICIAN LICENSE, PERMIT, AND CERTIFICATION FEES TO BE USED TO CARRY OUT AND ENFORCE THE PROVISIONS OF THE EMERGENCY MEDICAL SERVICES PROGRAM; TO FURTHER SPECIFY EMERGENCY MEDICAL RESPONSE AND AMBULANCE SERVICE LICENSE AND PERMIT REQUIREMENTS, AMBULANCE EQUIPMENT REQUIREMENTS, AND EMERGENCY MEDICAL TECHNICIAN CERTIFICATION REQUIREMENTS, INCLUDING NATIONAL REGISTRATION FOR EMT'S AND TO PROVIDE AN EXCEPTION; TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS; TO FURTHER PROVIDE FOR INVESTIGATIVE REVIEW OF ACTIONS OF EMT'S; AND TO PROVIDE THAT INFORMATION PERTAINING TO SANCTIONS TAKEN AS A RESULT OF AN INVESTIGATION MAY BE RELEASED IN ACCORDANCE WITH CERTAIN DEPARTMENT REGULATIONS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3711 -- Rep. Jennings: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES WHOSE EMPLOYEES AND RETIREES ARE ELIGIBLE FOR COVERAGE UNDER STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO ALLOW A PERSON WHO IS ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS AS A COUNTY COUNCIL MEMBER OF A PARTICIPATING COUNTY, AND WHO IS ALSO ELIGIBLE TO ELECT COVERAGE AS THE SPOUSE OF A COVERED EMPLOYEE OR RETIREE, TO PARTICIPATE IN THE INSURANCE PLANS AS EITHER AN EMPLOYEE OR A SPOUSE, BUT NOT BOTH.

Referred to Committee on Ways and Means

H. 3712 -- Rep. Funderburk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-15-15 SO AS TO DEFINE JOINT CUSTODY OF MINOR CHILDREN FOR PURPOSES OF SEPARATION AND DIVORCE.

Referred to Committee on Judiciary

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S. 9 -- Senators McConnell, Leventis, Rose, Elliott, Massey, Peeler, Bright and Setzler: A BILL TO AMEND CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENERGY EFFICIENCY, BY ADDING ARTICLE 12, SO AS TO ESTABLISH ENERGY EFFICIENCY AND RENEWABLE ENERGY GOALS FOR STATE GOVERNMENT, TO DIRECT STATE AGENCIES TO PROCURE ENERGY EFFICIENT PRODUCTS, AND TO DIRECT EVERY STATE AGENCY HEAD TO REQUIRE THE REPLACEMENT OF ALL INCANDESCENT LIGHT BULBS WITH COMPACT FLUORESCENT LIGHT BULBS IN EACH STATE AGENCY BY JULY 1, 2011.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 118 -- Senator Knotts: A BILL TO AMEND SECTION 22-5-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENDORSEMENT AND EXECUTION OF WARRANTS ISSUED IN OTHER COUNTIES OR BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE A WARRANT IS NOT REQUIRED TO BE ENDORSED BY A MAGISTRATE IN THE COUNTY WHERE A PERSON CHARGED WITH A CRIME RESIDES OR WHERE HE IS LOCATED, TO PROVIDE PROCEDURES FOR SERVING A WARRANT, AND TO MAKE CONFORMING CHANGES.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

On motion of Rep. FUNDERBURK, with unanimous consent, the following was taken up for immediate consideration:

H. 3713 -- Rep. Funderburk: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CAMDEN HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:



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That the privilege of the floor of the South Carolina House of Representatives be extended to the Camden High School boys basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2009 Class AAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3714 -- Reps. Alexander, Branham, Lowe and Williams: A HOUSE RESOLUTION TO COMMEND DOROTHY ELLIS KING OF FLORENCE COUNTY FOR HER TWENTY-FOUR YEARS OF DEDICATED SERVICE TO FRANCIS MARION UNIVERSITY, AND TO RECOGNIZE HER UPON THE OCCASION OF THE NAMING OF A FRANCIS MARION UNIVERSITY BUILDING IN HER HONOR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3715 -- Reps. Funderburk, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks,

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Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE CAMDEN HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3716 -- Reps. Simrill, Delleney, Gullick, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MRS. SUZANNE S. KIRSH, OF CLOVER, WIFE OF OUR DEAR FRIEND AND COLLEAGUE, REPRESENTATIVE HERB KIRSH, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

Whereas, the members of the South Carolina House of Representatives were deeply saddened to learn of the death of Mrs. Suzanne S. Kirsh, of Clover, on February 22, 2009, at the age of seventy-eight; and

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Whereas, Sue Kirsh, a native of Manhattan in New York, New York, was born August 13, 1930, to Louis and Sylvia Huffman Selikowitz, but a young suitor from South Carolina, Herb Kirsh, won her heart, married her, and whisked her off to his home in Clover, South Carolina, to begin wedded life. They were married for more than fifty-nine years until a sudden illness unfortunately took her life this past Sunday; and

Whereas, coming to love her new hometown as if it were her own from birth, Sue Kirsh raised a family, seeing to her four boys' Hebrew education, and nurtured a husband who became a legendary Democratic Party political leader, now the longest-serving member of the South Carolina General Assembly; and

Whereas, a team from the days Herb Kirsh ran the family business through all his years in politics, the Kirshes worked side by side during his successful terms as a Clover Town Council member and as mayor, and in 1979 the couple expanded their teamwork when Herb took his District 47 seat in the South Carolina House of Representatives, where he still serves today; and

Whereas, during her almost sixty years in Clover, Sue Kirsh found time for a variety of activities, including serving as a Cub Scout den mother and as a member of the York County Council on Aging. In addition, while her husband fulfilled his duties as a lawmaker in Columbia, she led tours of the Governor's Mansion, a twenty-five-year service to the people of South Carolina; and

Whereas, having been preceded in death by sons Bruce and Larry, her memory will be cherished by her beloved husband of fifty-nine years, Herb Kirsh, and sons Kevin and Michael. Admired by everyone in Clover, as well as legislative friends, she will be missed and long remembered with deep affection; and

Whereas, the members of the General Assembly, and his legion of friends throughout Clover, York County, and the State of South Carolina want Herb and his two sons to know that their thoughts and prayers are with them in this time of sorrow upon the loss of one of the finest and most delightful ladies ever to call South Carolina home.

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Now, therefore, be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, express their profound sorrow upon the passing of Mrs. Suzanne S. Kirsh, of Clover, and extend the deepest sympathy to her family and many friends.

Be it further resolved that a copy of this resolution be forwarded to Representative Herb Kirsh for the family.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 539 -- Senator Knotts: A CONCURRENT RESOLUTION TO CONGRATULATE TERRY D. WINGARD, OF LEXINGTON COUNTY, WING COMMAND CHIEF MASTER SERGEANT OF THE 169TH FIGHTER WING OF THE SOUTH CAROLINA AIR NATIONAL GUARD, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FORTY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 557 -- Senator Jackson: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT ULYSSES FLEMMING, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LAW ENFORCEMENT OFFICER, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR NEARLY FORTY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO EXTEND BEST WISHES FOR MUCH

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HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Bowers	Brady	Branham
Brantley	G. A. Brown	R. L. Brown
Cato	Chalk	Clyburn
Cobb-Hunter	Cole	Cooper
Daning	Delleney	Dillard
Erickson	Forrester	Frye
Funderburk	Gambrell	Govan
Gullick	Gunn	Hamilton
Hardwick	Harrell	Harrison
Hart	Harvin	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Howard	Hutto	Jefferson
Jennings	Kelly	Kennedy
King	Kirsh	Littlejohn
Loftis	Long	Lowe
Lucas	McEachern	McLeod
Miller	Millwood	Mitchell
Moss	Nanney	J. M. Neal
Neilson	Ott	Owens
Parker	Parks	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Stringer	Thompson	Toole
Umphlett	Weeks	White

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Whitmire	Williams	Willis
Wylie	A. D. Young	T. R. Young

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, March 11.

Paul Agnew	Boyd Brown
Kris Crawford	Tracy Edge
Wendell Gilliard	Nikki Haley
Chip Huggins	H. B. "Chip" Limehouse
David Mack	James Merrill
Joseph Neal	Timothy E. Scott
Bakari Sellers	Ted Vick
Thad Viers	Jackson "Seth" Whipper
Karl Allen	Jeff Duncan

**Total Present--120**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KNIGHT a leave of absence for the day due to illness.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Marc D. New of North Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire

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to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

**CO-SPONSORS ADDED**

Bill Number: H. 3311  
Date: ADD:  
03/11/09 RICE and HIOTT

**ORDERED TO THIRD READING**

The following Bill and Joint Resolution were taken up, read the second time, and ordered to a third reading:

S. 449 -- Senator Fair: A BILL TO CHANGE THE NAME OF THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY TO RENEWABLE WATER RESOURCES.

H. 3685 -- Rep. Vick: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 20, 2009, AND FEBRUARY 4, 2009, BY THE STUDENTS OF CHESTERFIELD COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW AND INCLEMENT WEATHER ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

**S. 449--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LOFTIS, with unanimous consent, it was ordered that S. 449 be read the third time tomorrow.

**H. 3685--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HAYES, with unanimous consent, it was ordered that H. 3685 be read the third time tomorrow.

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**SENT TO THE SENATE**

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**MOTION TO RECONSIDER TABLED**

Rep. COOPER moved to reconsider the vote whereby the following Bill was read third time and sent to the Senate:

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Rep. COOPER moved to table the motion to reconsider, which was agreed to.

Rep. NEILSON moved that the House do now adjourn, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that when the House adjourn today, that it adjourn to meet in local session on Thursday, March 12, at 10:00 a.m., and to reconvene in Statewide Session on Tuesday, March 24, at 12:00 noon.

**ADJOURNMENT**

At 11:28 a.m. the House, in accordance with the motion of Rep. HOSEY, adjourned in memory of Deanna DeLoach Cohen, to meet at 10:00 a.m. tomorrow.

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